App F. IX 4

Previous References 1944 Mun. Stat. ML File No 42-44
Serial Nos 67, 68
107, 108

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos four 14

Part B for Feb 45

SUBJECT

Electing Mr K Babanna as Vice President of the Borah ML CL -

The Compiler of Cy L 7748 dated 3 - 2 - 45 notifies

1/2

From The D C Shimoga Dt
No N3-C-455/44 & 10-9-44
Requests approval to the election
of Sri Nadiga Lakshmanna Rao as Vice
President of the Sorab Municipal Council
by condoning the irregularities
committed during the election
~~At Sagar & of the taluk~~,

1) The DC reports that the
process of elimination as prescribed
under rule 7 (ii) of the election rules
when there were more than two candidates
was not followed. But, as the validity
of election has not been contested.
the D requests approval to the
election of Sri Nadiga Lakshmanna
Rao ~~this~~ by condoning the irregularity
committed in this respect.

2) A draft notification is submitted
for orders

3) Have we not issued
directions in the matter
regd to all Municipalities? Pl put up the
file & why is not that procedure
complied with

24/9/44

4) Instructions were issued to
all the DCs in this respect on

10th August 1944 The file is at Head quarters and the D C says That the copy of the circular letter issued was received after the election was held

5) subject with reference to para 3 supra

Para 8/9 This is the second instance wherein the definite rule prescribing a particular procedure in the election of the vice president of India is was not followed in this case The circular was issued only to clarify the position further but the rules are precise & definite The plea that the instructions issued in pursuance to P 44 were received after the election were held Cannot be accepted The intention of the D C will be worthy of no consideration if he will be required to see that the election is held according to rules The election must be held & may therefore be set aside as it contravenes the provisions of law (Rules

Law Dept for

SECY LAW 3336 1 OCT 1944 GOVT OF MYSORE

2152/A

The prescribed procedure was not followed & hence the election has to be set aside

OFFICE OF THE MINISTER FOR L S G & P H
Date 2 10 64
No 2588

Secy LSG

Draft ordered
19/10

pl put up copy of the circular & below it as recommended
Chairman

To,
Sri D C Sharma
L 3794 & 24-10-64
sets aside the election with certain observations

Sri A Rao 17/11

46643
- 1

Vice President to the State Dept

From The D e Shimoga

No 113 P L 35-1 c1633/ccc & 22-1-45

Requests approval to the election
of Shri K Balarama as Vice President
of the State Council

In the circumstances stated
by the D e, a draft notification
approving the election is put up
for orders

Maybe approved
Law Secy for
24/1/45

SPW
24/1

Maybe approved
Ans
25-1-45
for
Secy
31/1/45

OFFICE OF THE PRIVY COUNCIL
FOR L S G & P H
Date 25 1 45
No. 5689

Ans
1-2-45
Secy
1/2/45

TYPING SECTION
2 FEB 1945
SECL & REV SECTT

2 7748 & 3-2-45

A maya notifies the election

HL 42-44-67 2162/L

C F No 451

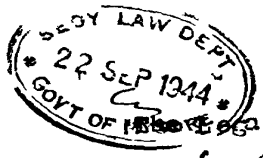
GOVERNMENT OF MYSORE

T I g am

OFFICE OF
the Deput. Commissioner
Shimoga District,
Shimoga,

No M3.C 455/44-45
Encls

Date 16th Septr 1944.



To The Legal Remembrancer
and Secretary to Govt
Law Department, BANGALORE.

Sir

subject - Election of Mr Nadig Lakshmana Rao as Vice President of the Sorab Minor Municipal Council

1) I have the honour to state that the Sorab Minor Municipal Council was reconstituted for a period of three years with effect from 1st Jul 1944 -

2) The reconstituted Municipal Council at its meeting held on 18-7-44 resolved to have a Vice President for the Municipality Thereafter necessary action was taken by the President of the Municipality elect a Vice President

3) According to the Calendar of events drawn up for the purpose, the Election was arranged to be held on 5-8-44 The Marginal noted five candidates were nominated for the purpose

4) On the appointed date viz on 5-8-44 the Election was held among all the five contesting candidates by taking votes At the first round, votes were secured as follows

** Messrs	1	Ranganatha Rao Kale	M/s	1	Nadig Lakshmana Rao 7
	2	Nadig Lakshman Rao		2	Ranganatha Rao Kale 5
	3	F Babanna		3	R Abdul Jabbar 2
	4	R.Abdul Jabbar		4	Nadiga Thirukappa 1
	5	Nadig Thirukappa		5	F Babanna 0

5) The names of serial Nos 5 and 4 who secured Zero and one Vote respecti were eliminated and votes were recorded at the second round among the remaining three candidates viz Messrs Nadiga Lakshmana Rao Ranganatha Rao Kale and R Abdul Jabbar Mr Nadiga Lakshmana Rao, secured 8 votes against seven and Zero votes secured by Messrs Ranganatha Rao Kale and

and R Abdul Jabbar respectively

6) Mr Lakshmana Rao who secured the highest number of votes viz Eight was declared to have been elected as Vice President of the Sorab Municipality

7) A copy of the minutes of the proceedings of the Special Meeting held on 5-8-44 is forwarded herewith for favour of reference

8) I write to mention in this connection that the procedure adopted in the present case ~~case~~ is not in accordance with rule7(ii) of the rules regulating the Election of Vice Presidents of Minor Municipal Councils The correct procedure in this case was to eliminate the one who got the fewest votes and to repeat the taking of the votes by ballot until only 2 candidates remained and then to declare the person securing the most elected I may however observe that the Election in this case was held before Govt issued Circular instructions in this behalf (vide No L 1532-40/M1 42-43-132 dated 10th August 1944).

9) In these circumstances and in view of the fact that the validity ~~and~~ of the Election has not been contested so far I request that approval of Government be obtained to the Election of Mr Nadiga Lakshmana Rao, as Vice President of the Sorab Minor Municipal Council as a special case and the irregularity got condoned

10) The report No M C 17/44-45 dated 6-8-44 received from the President, Sorab Municipality is forwarded herewith, for favour of reference

I have the honour to be,
Sir,
Your most obedient servant

Deputy Commissioner
Shimoga District

CRR/3

Appendix F G —1]

SUBJECT

Section Genl

File No 4244

Serial No 68

Diary No of letter replied to 2162

No £3794 dt 24-10-44

To

General and Revenue Secretariat

( )

the *194*

The Dy Com, Shimoga

Sir,

Date of issue 24-10-44

Signed by for G R Ray

With reference to your letter No M 3 C 455/44-45 dt 16-9-44 (44) re the election of Mr Narayana Rao as Vice President of the Kopala Senior Municipal council, I am directed to state that this is the second instance ~~in the Province~~ wherein a defects rule(s) prescribing a particular procedure in the election of the Vice Presidents of Municipal Councils

List of enclosures

Copied by

Examined by

WD 04161—GPB—60 000—24 10 41

Way

was not followed in the impugned.
The circular of 10.8.1961 referred to by you was issued only to clarify the position further
But the rules quite precise and definite on the subject
The plea that the instructions issued with reference to
to which have been adhered to
be accepted.

3) I am further to request you to see that the elections of Vice President of Municipal councils are held in future in accordance with rules.

2) The election of the Vice President of Erode Municipality now held is set aside as it was not in accordance with the prescribed procedure

4) The enclosures to your letter under reference herein returned

was not observed preceding further action to hold a resolution should be in accordance with the prescribed rules

Taken

presented on his behalf

I have the
honour
to be
Sir
Your obedient servant

C F No 45]

GEN & Pl. Sec 4843

GOVERNMENT OF MYSORE

T | E m ph

OFFICE OF

The Deputy Commissioner,
Shimoga District,
Shimoga,

No M3 P L 351C1633/44-45
Encls Encl 3

Date 22nd January 1945

M 42-44-107

To

The Legal Remembrancer and
Secretary to Government,
Law Department, Bangalore

Sir

Subject - Election of the Vice-President,
Sorab Minor Municipal Council

Adverting to your letter No L3794/M1 42-44-68 dated 24th October 1944, on the above subject, I have the honour to state that strict instructions had been issued to the President, Sorab Municipality in the matter

2 The Municipal President, Sorab, reports vide his report No LC 85/44-45 dated 10-12-44 addressed through the Sub Division Officer, Sagar that action was taken by him to hold the re-election of the vice-President on 9-12-44, in pursuance of the instructions contained in the Election Rules on the subject

3 He adds that the marginally noted three candidates were nominated for the purpose At the Election held on 9-12-44 among the three candidates, referred to above, Messrs Maliga Lakshmana Rao, Ranganatha Rao Kale and P Babanna, secured 6, 1, and 7 votes respectively in the first round Mr Ranganatha Rao Kale, who secured the lowest number of votes, viz , one was eliminated and votes were recorded in respect of the two remaining candidates, viz , Messrs Maliga Lakshmana Rao and P Babanna, It is reported that as both the candidates secured equal number of votes, viz , seven, lots were drawn and Mr P Babanna, whose name was drawn was declared duly elected

Messrs
1 Maliga Laksmana Rao
2 Ranganatha Rao Kale
3 P Babanna

4 The Minutes of the Special Meeting convened for the purpose on 9-12-44 is forwarded herewith for favour of reference It is seen therefrom that except the Assistant-President, who is the Ex-officio

President of the Municipality all the remaining fourteen councillors were present and exercised their votes

5 No objections were preferred within the time limit of seven days contesting the validity of the Election of Mr I Babanna as vice-President of the Sorab Municipality

6 I regret to state that the delay in forwarding the report of the Election was due to the fact that the connected papers were stuck up in the Sub Division Office at Sagar I shall take suitable disciplinary action against the official responsible for the delay in despatching the records from the Sub Division Officer's Office

In these circumstances, I request that the Election of Mr I Babanna as vice-President of the Sorab Minor Municipal Council may kindly be approved

8 The report of the Sub Division Officer, Sagar received in this Office on 10-1-1945 - vide his No R1-297/44-45 dated 11-12-1944, is forwarded herewith for favour of reference

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Shimoga District

IRR/2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. L 7748/R142-44/8 *Dated Bangalore* 26 Feb. *1945*

NOTIFICATION

Under section 10(4) of the Mysore Minor Municipalities Act, 1933, and the rules framed thereunder, Mr K Babanna is elected Vice President of the Sorab Minor Municipal Council

By Order,

Secretary to Government,
Law Department

To

The Compiler, Mysore Gazette for publication in part III-3 of the Gazette and supply of ten copies thereof to the Secretariat and the Deputy Commissioner, Shimoga District

HSSV/12

Agr L 7748 — Rl 42-44-108 AS 3 2-4

12 copies

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

Notification

under section 10 (4) of the Mysore Income Tax Act, 133, and the rules framed thereunder, Mr K Babagowda ~~Madhavaprakshagowda~~ Revenue is elected as the Vice President of the Sorab Municipal Council for the year 1944-45

for serving as a member of the Committee, Mysore gazette for publication in part III-3 of the gazette and supply of ten copies thereof to the Secretariat of the Deputy Commissioner, Shimoga.

P T O.

WD 0565—GPB—22 500—8 11 38

Memo 2 77 49 dfs 3 2 45

copy of the above is forwarded with compliments to the D C Shimoga ref with reference to his letter No 113 ~~c 455/44 dfs 10 9 44~~ his letter No 113 P L 351 C 1633/44 dfs 22-1-45

Records accompany

for Secretary Law

HDS 421
2/2/46